

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

IN RE: TESTOSTERONE REPLACEMENT  
THERAPY PRODUCTS LIABILITY  
LITIGATION

CASE NO. 1:14-CV-01748  
MDL 2545

JUDGE MATTHEW F. KENNELLY

This Document Relates to:

All Actions

**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendants AbbVie Inc. and Abbott Laboratories (collectively “AbbVie”) hereby provide the Court with notice of supplemental authority with respect to AbbVie’s motion to exclude Plaintiffs’ expert testimony on the issue of causation and for summary judgment (the “Causation Motion”). (ECF Nos. 1753, 1844.) AbbVie filed the Causation Motion on February 20, 2017, and filed a reply memorandum in further support of that motion on April 10, 2017. Subsequent to those filings, on April 13, 2017, the Superior Court of New Jersey issued its decision in *In re Accutane Litigation*, No. 271 MCL, 2017 WL 1362050 (N.J. Super. Law Div. April 13, 2017), granting defendants’ motion to bar the testimony of certain causation experts. Relying upon both federal and state authorities, the *Accutane* court excludes the testimony of those causation experts because their opinions fail to adhere to the established medical-evidence requirements set forth in the *Reference Manual on Scientific Evidence*. AbbVie respectfully submits the *Accutane* decision, a copy of which is attached hereto, as supplemental authority further supporting the exclusion of the testimony of Plaintiffs’ causation experts in this case, as set forth in detail in AbbVie’s Causation Motion. *See, e.g.*, ECF No. 1753 at 11-14, 34-39, 48-49 (discussing the medical-evidence requirements set forth in the *Reference Manual*).

Dated: April 24, 2017

By: /s/ David M. Bernick

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**CERTIFICATE OF SERVICE**

I, David Bernick, hereby certify that on April 24, 2017, the foregoing document was filed via the Court's CM/ECF system, which will automatically serve and send email notification of such filing to all registered attorneys of record.

/s/ *David Bernick*

David Bernick